

## Senate Bill No. 1592

### CHAPTER 441

An act to amend Sections 2015 and 2021 of, and to repeal and add Section 3328 of, the Business and Professions Code, relating to health.

[Approved by Governor September 11, 1996. Filed  
with Secretary of State September 12, 1996.]

#### LEGISLATIVE COUNSEL'S DIGEST

SB 1592, Rosenthal. Medicine.

(1) Existing law, the Medical Practice Act, requires the Medical Board of California to create a Committee on Affiliated Healing Arts Professions of the board.

This bill would delete this provision.

(2) Existing law requires physicians and surgeons, as a condition of licensure, to disclose certain information to the Medical Board of California, including that they immediately report any change of address to the board.

This bill would instead require physicians and surgeons to report each change of address within 30 days to the board, and would also require physicians and surgeons to report each change of name to the board within 30 days.

(3) Under existing law, the Hearing Aid Dispensers Examining Committee, under the jurisdiction of the Division of Allied Health Professions of the Medical Board of California, oversees the licensing, and administers the regulation, of individuals who engage in the practice of fitting and selling hearing aids. Existing law authorizes the committee to make recommendations to the board and the board is required to adopt rules and regulations as may be necessary to enable the board to carry into effect these provisions.

This bill would delete the latter provision and, instead, would authorize the committee to adopt, amend, or repeal, in accordance with the Administrative Procedure Act, regulations necessary to enable the committee to effect laws relating to the practice of fitting or selling hearing aids, subject to the review and approval of the board, with specified exceptions.

*The people of the State of California do enact as follows:*

SECTION 1. Section 2015 of the Business and Professions Code is amended to read:

2015. The president of the board and each division may call meetings of any duly appointed and created committee of the board or division at a specified time and place.

SEC. 2. Section 2021 of the Business and Professions Code is amended to read:

2021. (a) If the board publishes a directory pursuant to Section 112, it may require persons licensed pursuant to this chapter to furnish any information as it may deem necessary to enable it to compile the directory.

(b) Each licensee shall report to the board each and every change of address within 30 days after each change, giving both the old and new address. If an address reported to the board at the time of application for licensure or subsequently is a post office box, the applicant shall also provide the board with a street address. If another address is the licensee's address of record, he or she may request that the second address not be disclosed to the public.

(c) Each licensee shall report to the board each and every change of name within 30 days after each change, giving both the old and new names.

SEC. 3. Section 3328 of the Business and Professions Code is repealed.

SEC. 4. Section 3328 is added to the Business and Professions Code, to read:

3328. The committee may adopt, amend, or repeal, in accordance with the provisions of the Administrative Procedure Act, regulations that are necessary to enable the committee to carry into effect the provisions of law relating to the practice of fitting or selling hearing aids. All regulations adopted, amended, or repealed by the committee, except those regulations adopted in furtherance of Sections 3326.5 and 3456, shall be subject to the review and approval of the board in accordance with the following procedure:

(a) The committee shall file with the board, and concurrently with the Office of Administrative Law, the notice of proposed adoption, amendment, or repeal of regulations, the express terms of the proposed regulations, and the initial statement of reasons for those regulations. The board may file written testimony regarding any proposed regulations with the committee and the committee shall file the testimony with the Office of Administrative Law.

(b) After the committee adopts, amends, or repeals any regulation pursuant to this section, the committee shall submit those regulations to the board. The board shall notify the committee of its approval or rejection of the regulations within 30 days of the submission by the committee. If the board fails to act within 30 days, the regulations shall be deemed approved. The board may act on the regulations at a regularly scheduled meeting or by a review of the written material from the committee. Any action taken after a review of the written material may be taken by a mail vote. The approval of regulations shall require the affirmative vote of a majority of the members then appointed.



(c) In the event the board disapproves a regulation, it shall notify the committee in writing of the basis for its disapproval.

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